

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

Case No.: 20-cv-60100-SINGHAL

NATIONAL LABOR RELATIONS BOARD,

Petitioner,

v.

ALLIED MEDICAL TRANSPORT, INC.

Respondent-Debtor,

EXECUTIVE RIDE TRANSPORT, INC.,
TRANSPORTATION SPECIALIST GROUP,
INC., EXECUTIVE RIDE GROUP, LLC, and
WAYNE ROWE, an individual,

Additional Respondent-Debtors,

and

SUNTRUST BANKS, INC. and JPMORGAN
CHASE BANK, N.A.,

Garnishees.

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MODIFIED PROTECTIVE RESTRAINING ORDER

Upon a showing of good cause, the Protective Restraining Order issued by this Court on February 21, 2020 is hereby modified as follows:

I. IT IS ORDERED that, should any sale, transfer, or other disposition of Respondents' assets with a value in excess of \$100 have occurred between July 2, 2014 and the entry of this Order, then, in that event:

(A) Respondent shall provide in writing to the Board's Contempt, Compliance and Special Litigation Branch, 1015 Half Street, S.E., Fourth Floor, Washington, D.C.

20003 Attn: Attorney Aaron Samsel, within ten (10) days of the entry of this Order, a description of the asset or assets involved in each such transaction, the value of each asset at the time Respondents acquired it and at the time of the sale, transfer or other disposition of such asset, the consideration received in exchange for the asset, the subsequent disposition of the consideration, and the name(s) and address(es) of all persons or entities who were parties to the transaction.

(B) If the transfer or other disposition of any asset was not for full, fair and present consideration actually paid, the Board may apply to this Court, upon a showing that such transfer or other disposition amounted to a fraudulent conveyance or is otherwise voidable, for an order requiring Respondents or any person subject to this Order, as may be appropriate, to cause the return of such asset to Respondent.

II. IT IS FURTHER ORDERED that Respondents, within fifteen (15) days of the date of the Board's written request, shall furnish the Board with a verified list of all of their assets, real and personal, which exceed \$500 in value, including, without limitation, land, vehicles, inventory, equipment, bank account numbers, certificates of deposit, promissory notes and/or other financial instruments personally registered to Respondents, shares of stock of which any of the Respondents are real or beneficial owners, bonds, options to purchase, good will or business licenses, and any other assets within the scope of this Order, together with a list of any encumbrances thereon, and shall update this list every time they dispose of, lease or acquire any asset(s) exceeding \$500 in value. Respondents shall, within thirty (30) days following a transaction involving the sale, disposition or lease of any asset exceeding \$500 in value, notify the Board, in writing, of the details of the transaction, including the names and addresses of all parties to the

transaction. Respondents shall further provide the Board with not less than ninety (90) days' advance notice of any intent to file or initiate any bankruptcy or liquidation proceeding. Respondents shall provide this information to the Board by delivering such information to the Board's Contempt, Compliance and Special Litigation Branch, 1015 Half Street, S.E., Fourth Floor, Washington, D.C. 20003, Attn: Attorney Aaron Samsel.

III. IT IS FURTHER ORDERED that Respondents shall provide notice of this Order, in writing, to any person natural or corporate to whom Respondents propose to sell, lease, transfer or otherwise dispose of any of their assets; copies of such notices shall be promptly provided to the Board's Contempt, Compliance and Special Litigation Branch, 1015 Half Street, S.E., Fourth Floor, Washington, D.C. 20003, Attn: Attorney Aaron Samsel.

IV. IT IS FURTHER ORDERED that, to verify and ensure compliance with this Order, the Board may obtain discovery from any party, person or entity, in the manner provided by the Federal Rules of Civil Procedure, upon any matter reasonably related to compliance with this Order. The failure to comply with discovery in the manner required by the Federal Rules of Civil Procedure by Respondents shall be grounds for sanctions.

V. IT IS FURTHER ORDERED that, pursuant to FRCP 4.1, service of this Order on Respondents may be accomplished by delivering a copy to Respondents, by mailing to each Respondent's residence and/or business address, a copy by certified mail or overnight delivery service, and a second copy by first-class mail to any existing registered agent for service of process of each of the Respondents. Service shall be deemed completed when the required items have been delivered. Service may also be made by delivering a copy to Respondents directly via hand delivery by a process

server. Service on any other person or entity may be accomplished by delivering a copy to such person or entity personally by employees or agents of the Board, or by mail or overnight delivery, with signature acknowledging receipt required, or via confirmed facsimile or email transmission.

VI. IT IS FURTHER ORDERED THAT unless and until Respondents fully satisfy the financial obligations owed under the Stipulation Consenting to the Amount of Backpay entered into by the parties, Respondents are hereby restrained and enjoined from directly or through any other person or entity, destroying, transferring, altering, erasing, concealing, disposing of, or in any other manner making unavailable any books, records, electronically stored data or other documents pertaining in whole or in part to Respondents, wherever those records may be located.

VII. IT IS FURTHER ORDERED that any violation of this Order by Respondents or by any other party generally described herein who has notice of this Order, may be punishable as contempt of this Court, upon application of the Board, and sanctions for such contempt may include the assessment of compensatory fines to be assessed in an amount equal to the extent of damage caused to the Board's ability to obtain monetary satisfaction of its Order as a result of any transaction proscribed by this Order, the imposition of coercive fines, and the issuance of writs of body attachment in order to compel compliance with this Order.

VIII. IT IS FURTHER ORDERED that this Order, subject to such modifications as may from time to time be made by this Court, shall remain in effect until such time as Respondents fully satisfy the financial obligations owed to the Board pursuant to the Board's Order.

IX. IT IS FURTHER ORDERED that any party may apply to the Court for modification or vacatur of this Order, for good cause shown, on grounds of hardship or necessity.

IT IS SO ORDERED.

This 3rd day of August 2020.



RAAG SINGHAL
UNITED STATES DISTRICT JUDGE